Order

Michigan Supreme Court Lansing, Michigan

October 27, 2008

Clifford W. Taylor, Chief Justice

136563 & (11)

Michael F. Cavanagh Elizabeth A. Weaver Marilyn Kelly Maura D. Corrigan Robert P. Young, Jr. Stephen J. Markman, Justices

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee,

SC: 136563 COA: 283491

Wayne CC: 90-008948-01

MARVIN K. LEWIS,

Defendant-Appellant.

On order of the Court, the application for leave to appeal the April 28, 2008 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion for appointment of counsel is DENIED.

TANSING.

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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 27, 2008

Clerk